

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CONESTOGA WOOD SPECIALITIES
CORP., et al.,

Plaintiffs,

v.

SYLVIA M. BURWELL, in her official
capacity as the Secretary of the United
States Department of Health and Human
Services, et al.,

Defendants.

Civil Action No.
5:12-cv-06744-MSG

**DEFENDANTS' NOTICE OF NON-OPPOSITION TO
PLAINTIFFS' AMENDED MOTION FOR PRELIMINARY INJUNCTION**

In light of the Supreme Court's decision in *Burwell v. Hobby Lobby Stores, Inc.*, ___ S. Ct. ___, Nos. 13-354, 13-356, 2014 WL 2921709 (June 30, 2014), defendants do not oppose the entry of a preliminary injunction in this case. *See* Plaintiffs' Amended Motion for Preliminary Injunction, ECF No. 62 (July 28, 2014). Defendants, however, do object to plaintiffs' proposed order because it includes language beyond what is necessary to address the entry of preliminary injunctive relief. *See* Order, ECF No. 62-1 (July 28, 2014) (asserting that "Plaintiff is entitled to an exemption from the Mandate pursuant to RFRA"). Defendants have attached to this Notice of Non-Opposition a proposed order that addresses defendants' concerns. *See* E.D. Pa. Local Rule 7.1(a).

Respectfully submitted this 6th day of August, 2014,

STUART F. DELERY
Assistant Attorney General

ZANE DAVID MEMEGER
United States Attorney

JENNIFER RICKETTS
Director

SHEILA M. LIEBER
Deputy Director

s/ Michelle R. Bennett
MICHELLE R. BENNETT (CO Bar No. 37050)
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue N.W. Room 7310
Washington, D.C. 20530
Tel: (202) 305-8902
Fax: (202) 616-8470
Email: michelle.bennett@usdoj.gov

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2013, a copy of the foregoing was filed electronically with the Clerk of the Court to be served upon the following:

Charles W. Proctor, III
cproctor@cplaw1.com

Randall Luke Wenger
rwenger@indlawcenter.org

s/ Michelle R. Bennett
MICHELLE R. BENNETT